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PATENT
ATTORNEY DOCKET NO. 10498-00031

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Pamela C. Yelick et al.)	Examiner:
)	Melanie D. Bissett
Serial No.: 09/997,734)	
)	Art Unit: 1711
Filed: November 29, 2001)	
)	Conf. No.: 4087
Title: METHODS AND COMPOSITIONS FOR)	
CULTURING A BIOLOGICAL TOOTH)	

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attention: Official Draftsman

RESPONSE TO SECOND NOTICE REGARDING DRAWINGS

Dear Sir:

In response to the second Notice Regarding Drawings mailed February 24, 2005,
Applicants enclose herewith the attached:

A copy of Draftsman Son Lam's Letter to Withdraw Drawing Requirement dated March 3, 2005 e-mailed same date to Applicants;

A copy of Draftsman Son Lam's annotated copy of the Notice waiving the requirements for new formal drawings e-mailed March 3, 2005 to Applicants;

A copy of Mr. Lam's e-mail of March 2, 2005; and

Return postcard.

Applicants understand, from Draftsman Son Lam, that the requirements indicated in the Form PTO 948 issued by William Sale on February 24, 2005 have been waived and that no further drawings need be submitted in response to the Notice Regarding Drawings. Accordingly, Applicants respectfully request that this application proceed to publication of the patent.

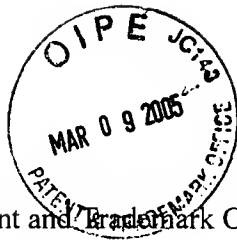
Further, as an inordinate period of time will have passed since payment of the Issue Fee on April 15, 2004 and the issuance of the application, Applicants have been advised that the patent term will be extended accordingly.

Respectfully submitted,

Date: March 9, 2005



John P. Iwanicki, Reg. No. 34,628
BANNER & WITCOFF, LTD.
28 State Street, 28th Floor
Boston, MA 02109
Telephone: (617) 720-9600



COPY

U.S. Patent and Trademark Office

Date: Mar. 03, 2005

Letter to Withdraw Drawing Requirement

To: Laurie Hall
Banner & Witcoff, LTD.
28 State Street, 28th Floor
Boston, MA 02109

RECEIVED

MAR 03 2005

BANNER & WITCOFF

Fr.: Son Lam, USPTO Draftsman
(703) 305-0333 (Ext. 133)

Subject: Drawing Requirement Withdrawal, Application No. 09997,734
Method and Compositions for Culturing a Biological Tooth

Dear Ms. Laurie Hall,

After consulting with the Examiner Melanie Bissett and my Supervisor Joshua Chase, I waive all the requirements indicated in the form PTO948, issued by William Sale on 02/24/05, because:

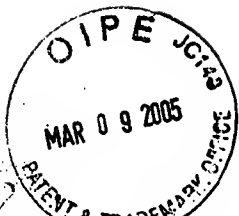
1/ All the drawings are clear enough for the understanding of the invention, confirmed by the Examiner.

2/ All the illustrations are in the best form for reproduction and publication.

Thank you for your patience,

Regards,

PTO Draftsman: Son Lam



COPY BEST AVAILABLE COPY

Form PTO-948 (Rev. 06/03)
Application No. 09/997734

U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW

The drawing(s) filed (insert date) 12/22/04 are:

- A. ☒ approved by the Draftsperson under 37 CFR 1.84 or 1.152.
B. ☒ objected to by the Draftsperson under 37 CFR 1.84 or 1.152 for the reasons indicated below. Corrected drawings are required.

1. DRAWINGS. 37 CFR 1.84(a): Acceptable categories of drawings: Black ink or Color (3 sets required).

Color drawings are not acceptable until petition is granted. Fig(s) _____

Pencil and non black ink not permitted. Fig(s) _____

2. PHOTOGRAPHS. 37 CFR 1.84(b)

One (1) full-tone set is required. Fig(s) _____

Photographs may not be mounted. 37 CFR 1.84(e)

Photographs must meet paper size requirements of 37 CFR 1.84(f). Fig(s) _____

Poor quality (half-tone). Fig(s) _____

3. TYPE OF PAPER. 37 CFR 1.84(c)

Paper not flexible, strong, white, and durable.

Fig(s) _____

Erasures, alterations, overwritings, interlineations, folds, copy machine marks not accepted.

Fig(s) _____

4. SIZE OF PAPER. 37 CFR 1.84(f): Acceptable sizes:

21.0 cm by 29.7 cm (DIN size A4) or

21.6 cm by 27.9 cm (8 1/2 x 11 inches)

All drawing sheets not the same size.

Sheet(s) _____

Drawings sheets not an acceptable size. Fig(s) _____

5. MARGINS. 37 CFR 1.84(g): Acceptable margins:

Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm

Margins not acceptable. Fig(s) _____

Top (T) _____ Left (L) _____

Right (R) _____ Bottom (B) _____

6. VIEWS. 37 CFR 1.84(h)

REMINDER: Specification may require revision to correspond to drawing changes, e.g., if Fig. 1 is changed to Fig. 1A, Fig. 1B and Fig. 1C, etc., the specification, at the Brief Description of the Drawings, must likewise be changed.

Views not labeled separately or properly. w/fig legends
Fig(s) 18-20

7. SECTIONAL VIEWS. 37 CFR 1.84(h)(3)

Sectional designation should be noted with Arabic or Roman numbers. Fig(s) _____

8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(i)

Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s) _____

9. SCALE. 37 CFR 1.84(k)

Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction.

Fig(s) _____

10. CHARACTER OF LINES, NUMBERS, & LETTERS. 37 CFR 1.84(l)

Lines, numbers & letters not uniformly thick and well defined, clear, durable, and black (poor line quality). Fig(s) 5, 6, 11-13

11. SHADING. 37 CFR 1.84(m)

Solid black areas pale. Fig(s) _____

Solid black shading not permitted. Fig(s) 5, 6, 11, 12

12. NUMBERS, LETTERS, & REFERENCE CHARACTERS. 37 CFR 1.84(p)

Numbers and reference characters not plain and legible. Fig(s) _____

Figure legends are poor. Fig(s) _____

Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(1) Fig(s) _____

English alphabet not used. 37 CFR 1.84(p)(2) Fig(s) _____

Numbers, letters and reference characters must be at least 32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3). Fig(s) _____

13. LEAD LINES. 37 CFR 1.84(q)

Lead lines missing. Fig(s) _____

14. NUMBERING OF SHEETS OF DRAWINGS. 37 CFR 1.84(t)

Sheets not numbered consecutively, and in Arabic numbers beginning with number 1. Sheet(s) _____

15. NUMBERING OF VIEWS. 37 CFR 1.84(u)

Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) _____

16. DESIGN DRAWINGS. 37 CFR 1.152

Surface shading shown not appropriate.

Fig(s) _____

Solid black surface shading is not permitted except when used to represent the color black as well as color contrast. Fig(s) _____

COMMENTS:

- Fig 2 & 10 need to be reproduced for clarity
- B/W India Ink drawing used for fig 5, 6, 11 & 12

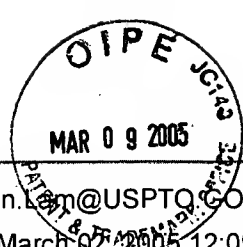
Reviewer _____

If you have questions, call (703) 305-8404.

Date 2/24/05

Attachment to Paper No. _____

Laurie Hall



From: Lam, Son [Son.Lam@USPTO.GOV]
Sent: Wednesday, March 02, 2005 12:09 PM
To: Laurie Hall
Subject: RE: 10498-00031

COPY

Dear Ms Laurie Hall,

I had talked to the Examiner and my supervisor. I will waive the requirement of the form PTO948 (issued by William Sale.)

I am still working on retrieving the case, so I could make a note on the copy of the form PTO948, and update the application status. This step will take some time to complete. I have already sent in the request and await for the response. This step requires minimum work on your side.

If this process take too long... beyond the due date, I will send you an email with the copy of the form PTO948, with my signature to waive the requirements (before the due date). Then you could send in your response with my email and a copy of the returned PTO948 to overcome the objection. I will proceed with this second choice if there would be no response by the end of this week.

Thank you for your patience,

Regards,

PTO Draftsman: Son Lam
(703) 305-0333 (ext. 133)

-----Original Message-----

From: Laurie Hall [mailto:LHall@bannerwitcoff.com]
Sent: Tuesday, March 01, 2005 3:31 PM
To: Lam, Son
Cc: John Iwanicki; Judith Stone-Hulslander
Subject: 10498-00031
Importance: High

Re: Methods and Compositions for Culturing a Biological Tooth
USSN 09/997,734, filed 11/29/01

Dear Mr. Lam,

Per your request, I am attaching the recent Notice Regarding Drawings mailed Feb. 24, 2005 that we received in the above-referenced application after filing the required set of replacement drawings on December 22, 2004. Examiner Melanie Bissett thought perhaps the draftsman who prepared this Notice was looking at the scanned image of the figures, rather than the originals I prepared and sent to the PTO which were produced on photo paper and were of very high resolution. All but Figure 15 are photos of biological material, including radiography and slides of tissue samples under magnification and were previously accepted by the Examiner in the Notice of Allowability.

As we have a very short time-frame in which to respond (by **March 24, 2005**), I'd appreciate your letting us know as soon as possible if you will be able to overturn the objections to the drawings. Thanks in advance for your assistance.

Laurie Hall

3/3/2005

BANNER & WITCOFF, LTD.

28 State Street, 28th Floor

Boston, MA 02109

USA

<<Notice Regarding Drawings mailed 2-24-05.pdf>>

Phone: (617) 720-9600

Fax: (617) 720-9601

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